

Docket No. (AMENDED): 76897-018CIP4

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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In re Application of: BORIS MASLOV, et al.)

Confirmation No: 4049

MAR 26 2007

Application No.: 10/736,901)

Group Art Unit: 2837

Filed: DECEMBER 17, 2003)

Examiner: COLON, S.

For: ADAPTIVE ELECTRIC CAR

United States Patent and Trademark Office
Customer Service Window, Mail Stop AMENDMENT
Randolph Building
401 Dulany Street
Alexandria, Virginia 22314

**PAYMENT OF DEFICIENCY UNDER 37 C.F.R. 1.28(C) AND
NOTIFICATION REGARDING CHANGE IN STATUS**

Sir:

This is a notification of a change in status filed pursuant to 37 CFR § 1.28(c). Small entity status is no longer claimed as of August 1, 2006.

The RCE and one-month extension that was filed on October 30, 2006, was improperly paid as small entity in the amount of \$455.00. The patent owner hereby provides notice under 37 CFR § 1.28(c) that the RCE and one-month extension that was filed on October 30, 2006, was improperly paid as small entity in the amount of \$455.00, where small entity status had been properly established but is no longer appropriate, and requests that this matter be treated under 37 CFR § 1.28(c).

Accordingly, pursuant to 37 CFR § 1.28(c)(2), the Commissioner is hereby authorized to deduct the deficiency owed (totaling \$455.00 which is \$395.00 for the additional RCE application fee and \$60.00 for additional one-month extension fee under large entity status) for this previous fee erroneously paid as a small entity from Deposit Account 50-3840. The undersigned believes no additional fees are due upon submission of this paper. However, if any additional fees are due (i.e., more than \$455.00), the Commissioner is hereby authorized to deduct them from Deposit Account No. 50-3840. A Fee Transmittal Form authorizing this

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01 FC:1801 790.00 DA
02 FC:1251 120.00 DA

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Page 2 of 2

payment is included with the present filing. By payment of this deficiency, notification is provided of loss of entitlement to small entity status under 37 CFR §1.27(g)(2), pursuant to 37 CFR § 1.28(d).

Respectfully submitted,



David W. Laub
Attorney for Applicant
Reg. No.: 38,708

Date: March 26, 2007
Patent Administrator
Proskauer Rose LLP
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Date March 26, 2007 Attorney Docket No. 76897-018CIP4

Fax Transmittal

Total Pages (Including Cover) 6

From David W. Laub/Susan F. Mahon

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To: U.S. PATENT & TRADEMARK OFFICE

Fax No.: 571-273-8300

Message

OFFICIAL COMMUNICATION**AUTHORIZATION TO DEBIT DEPOSIT ACCOUNT 50-3840 FOR \$455.00 FEES TO COVER DEFICIENCY IN PAYMENT OF ISSUE FEE**

RE: U.S. Application No. 10/736,901
Filing Date: DECEMBER 17, 2003
First Named Inventor: BORIS MASLOV, ET AL.
Art Unit: 2837
Examiner: COLON, S.

SUBMITTED PAPERS:

-CERTIFICATE OF TRANSMISSION UNDER 37 CFR 1.8 FORM PTO/SB/97 (1 page)

-TRANSMITTAL FORM PTO/SB/21 (1 page)

-FEE TRANSMITTAL FORM PTO/SB/17 (1 page)

-PAYMENT OF DEFICIENCY AND NOTIFICATION REGARDING CHANGE IN STATUS (2 pages)

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PTO/SB-07 (09-04)

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Certificate of Transmission under 37 CFR 1.8

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office

on March 26, 2007
Date

Signature

David W. Laub

Typed or printed name of person signing Certificate

38,708

Registration Number, if applicable

202-416-6800

Telephone Number

Note: Each paper must have its own certificate of transmission, or this certificate must identify each submitted paper.

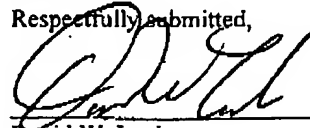
IDENTIFIED SUBMITTED PAPERS RE: APPLN NO. 10/736,901:

- TRANSMITTAL FORM PTO/SB/21 (1 page)
- FEE TRANSMITTAL FORM PTO/SB/17 (1 page)
- PAYMENT OF DEFICIENCY UNDER 37 CFR 1.28(C) AND NOTIFICATION REGARDING CHANGE IN STATUS(2 pages)

This collection of information is required by 37 CFR 1.8. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 1.3 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PYO-3199 and select option 2.

MAR 26 2007

FEE TRANSMITTAL FY 2007					<i>Complete if Known</i>																																																																																											
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<input checked="" type="checkbox"/> The Commissioner is hereby authorized to credit or charge any fee indicated below for this submission to Deposit Account No. 50-3840 <input checked="" type="checkbox"/> Required Fees (copy of this sheet enclosed). <input checked="" type="checkbox"/> Additional fee required under 37 CFR 1.16 and 1.17. <input checked="" type="checkbox"/> Overpayment Credit.					<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 15%;">Large Entity Fee (\$)</th> <th style="width: 15%;">Small Entity Fee (\$)</th> <th style="width: 50%;">Fee Description</th> <th style="width: 20%;">Fee Paid</th> </tr> </thead> <tbody> <tr> <td>130</td> <td>65</td> <td>Surcharge - late filing fee or oath</td> <td></td> </tr> <tr> <td>50</td> <td>25</td> <td>Surcharge - late provisional filing fee or cover sheet</td> <td></td> </tr> <tr> <td>130</td> <td>130</td> <td>Non-English specification</td> <td></td> </tr> <tr> <td>2,520</td> <td>2,520</td> <td>Request for ex parte re-examination</td> <td></td> </tr> <tr> <td>120</td> <td>60</td> <td>Extension for reply within 1st mo.</td> <td></td> </tr> <tr> <td>450</td> <td>225</td> <td>Extension for reply within 2nd mo.</td> <td></td> </tr> <tr> <td>1,020</td> <td>510</td> <td>Extension for reply within 3rd mo.</td> <td></td> </tr> <tr> <td>1,590</td> <td>795</td> <td>Extension for reply within 4th mo.</td> <td></td> </tr> <tr> <td>2,160</td> <td>1,080</td> <td>Extension for reply within 5th mo.</td> <td></td> </tr> <tr> <td>500</td> <td>250</td> <td>Notice of Appeal</td> <td></td> </tr> <tr> <td>500</td> <td>250</td> <td>Filing a brief in support of an appeal</td> <td></td> </tr> <tr> <td>1,000</td> <td>500</td> <td>Request for oral hearing</td> <td></td> </tr> <tr> <td>400</td> <td>0</td> <td>Petitions to the Director</td> <td></td> </tr> <tr> <td>180</td> <td>180</td> <td>Submission of IDS</td> <td></td> </tr> <tr> <td>790</td> <td>395</td> <td>Filing a submission after final rejection (37 CFR 1.129(a))</td> <td></td> </tr> <tr> <td>790</td> <td>395</td> <td>For each additional invention to be examined (37 CFR 1.129(b))</td> <td></td> </tr> <tr> <td>100</td> <td>100</td> <td>Certificate of Correction for applicant's error</td> <td></td> </tr> <tr> <td>130</td> <td>65</td> <td>Submission of Terminal Disclaimer</td> <td></td> </tr> <tr> <td colspan="2">Other fee (Specify)</td> <td>Deficiency Charges</td> <td>\$455.00</td> </tr> <tr> <td colspan="2">Other fee (Specify)</td> <td></td> <td></td> </tr> <tr> <td colspan="2" style="text-align: right;">4. TOTAL:</td> <td></td> <td></td> </tr> </tbody> </table>				Large Entity Fee (\$)	Small Entity Fee (\$)	Fee Description	Fee Paid	130	65	Surcharge - late filing fee or oath		50	25	Surcharge - late provisional filing fee or cover sheet		130	130	Non-English specification		2,520	2,520	Request for ex parte re-examination		120	60	Extension for reply within 1 st mo.		450	225	Extension for reply within 2 nd mo.		1,020	510	Extension for reply within 3 rd mo.		1,590	795	Extension for reply within 4 th mo.		2,160	1,080	Extension for reply within 5 th mo.		500	250	Notice of Appeal		500	250	Filing a brief in support of an appeal		1,000	500	Request for oral hearing		400	0	Petitions to the Director		180	180	Submission of IDS		790	395	Filing a submission after final rejection (37 CFR 1.129(a))		790	395	For each additional invention to be examined (37 CFR 1.129(b))		100	100	Certificate of Correction for applicant's error		130	65	Submission of Terminal Disclaimer		Other fee (Specify)		Deficiency Charges	\$455.00	Other fee (Specify)				4. TOTAL:			
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3. APPLICATION SIZE FEE If the specification and drawing exceed 100 sheets of paper, the application size fee due is \$250 (\$125 for small entity) for each additional sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s). <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 15%;">Total Sheets</th> <th style="width: 15%;">Extra Sheets</th> <th style="width: 15%;">Additional 50 or fraction thereof</th> <th style="width: 15%;">Fee (\$)</th> <th style="width: 40%;">Fee Paid</th> </tr> </thead> <tbody> <tr> <td>-100= 0</td> <td>/50=</td> <td>round up to a whole number</td> <td>x</td> <td>= 0.00</td> </tr> <tr> <td colspan="5" style="text-align: right;">3. TOTAL:</td> </tr> </tbody> </table>					Total Sheets	Extra Sheets	Additional 50 or fraction thereof	Fee (\$)	Fee Paid	-100= 0	/50=	round up to a whole number	x	= 0.00	3. TOTAL:					4. TOTAL:																																																																												
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Direct all correspondence to: PATENT ADMINISTRATOR Proskauer Rose LLP 1001 Pennsylvania Avenue, N.W., Suite 400 Washington, D.C. 20004 Tel. No.: (202) 416-6800 Fax No.: (202) 416-6899 CUSTOMER NO: 61263					Date: March 26, 2007 Reg. No.: 38,708 Tel. No.: (202) 416-6800 Fax No.: (202) 416-6899 Respectfully submitted,  David W. Laub Attorney for the Applicant(s) Proskauer Rose LLP 1001 Pennsylvania Ave., N.W., #400 Washington, D.C. 20004																																																																																											